

IN THE UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF TENNESSEE
AT KNOXVILLE

UNITED STATES OF AMERICA,)	
)	
Plaintiff,)	
)	
v.)	No. 3:07-CR-51
)	(Phillips / Shirley)
JOHNNIE MARTIN,)	
)	
Defendant.)	

MEMORANDUM AND ORDER

All pretrial motions in this case have been referred to the undersigned pursuant to 28 U.S.C. § 636(b) for disposition or report and recommendation regarding disposition by the District Court as may be appropriate.

On February 7, 2008, this matter came before the Court for hearing on the merits two motions filed by Attorney James A.H. Bell on behalf of Defendant Johnnie Martin: Motion to Dismiss for Prosecutorial Misconduct [Doc. 252]; and Motion to Withdraw [Doc. 254]. That hearing was concluded on February 14, 2008.

In the interim period, the United States filed a Motion to Compel and Request for Expedited Hearing [Doc. 265]. The motion asked, first, that the Court direct Attorney Bell to delineate certain information pertaining to the issue of his asserted ethical conflict which was at issue during these two hearings; and, second, that the Court schedule a hearing sooner than the February 14, 2008, date and time.

The Court did not find it necessary to conduct an expedited hearing and later developments in the case have made the question of Attorney Bell's description of the ethical conflict to the Tennessee Board of Professional Responsibility moot as to this case. Accordingly, the Court found that the Motion to Compel and Request for Expedited Hearing [**Doc. 265**] was moot and is hereby **DENIED**.

IT IS SO ORDERED.

ENTER:

s/ C. Clifford Shirley, Jr.
United States Magistrate Judge